

POETRY.

From the New-York Tribune.
THE REFORMER.
BY THOMAS L. HARRIS.

Behold, enfold by Past and Future Ages,
Sublime and strong the true Reformer stands,
Through the wild battle-storm that round him rages,
Bearing Deliverance to the groaning Lands.
The night-clouds pile above in heavy masses,
Tinged in the East by one faint smile of Dawn,
And tempests roll down the mountain passes,
And burst infuriate o'er his white-robed form;
The poisoned darts of falsehood hurtle round him,
Shot from the hoary citadels of Crime,
And, clothed in mail of adamant, surround him
The giant Sins of every Land and Time;
The martyr-fire yet smoulders where he standeth;
True hearts he crushed in blood-wet dust below;
Each lightning bolt that withereth by expandeth
The red, rent flag of some demonic foe;
On pyramids of broken hearts upreared,
From side by side the Altar and the Throne,
While through the dark, from many a viewless
prison,
Resounds the torturing lash—the dying groan;
The Warriors marshal on their iron-clad legions,
The Priesthood consecrate the mighty Wrong,
And from Earth's slave-cursed, trampled, prostrate
regions,
Goes up the cry, 'How long, O Lord! how long!'

The star moves on, though clouds in thunderous
motion
Across its azure way rush to and fro;
And while the tempest breaks upon the Ocean,
Its tidal pulses calm, untrifling flow;
So, raining splendor on his dark surrounding,
That full-orbed soul moves on, serene, sublime;
So the Ocean Heart with every wounding
From its great arteries pours love divine.
The mighty host of martyred Saints ascended
Live in his life, and bless the world anew;
Their fiery spirits with his own are blended,
And from his living words their own shine through;
'The cloud of Witnesses,' in countless numbers,
Cluster round to arm him for the strife,
And cheer him, ministrant upon his slumbers,
With open vision of the Inner Life.
So he is strong to overcome the argings
Which Pride and Luxury press against, again;
To meet the tide of crime, the hourly scourings,
The dread Gethsemane of lonely pain.
So he is strong to suffer, ever making
The universal agony his own—
To overcome the penny and forsaking—
To live unfriended, and to die alone.

God's greatest miracle, uprisen Angel!
Through the poor clay how shines that radiant
soul;
From lip and life how blessed the Evangel,
The words of Liberty and Love that roll.
Chains part like wax before his lightning glances,
His flame-tipped spear burns through the shield of
Crime;
The Throne and Altar reel as he advances,
And Morn breaks glorious through the sky of
Time.
The slave-ships hold, the lazar house, the prison,
Yield up to light and love their new-born dead;
Earth unto Universal Man is given,
All hearts have gladness, and all lips have bread.
The blood-red flag of War is furled forever,
Blended in melody, the discords cease,
And the glad Nations harmonize together,
Bound in the golden zone of endless Peace.
In Social Unity the world rejoices,
All interests circle in one perfect span,
And spheres on spheres, the Infinite's high voices
Echo the bliss of Universal Man.

Who bringeth on this glorious consummation?
Who weddeth Earth to Heaven as to a bride?
Who waveth high the palms of consecration?
Who poureth forth the best baptismal tide?

'Tis the REFORMER—meek and poor and lowly,
His life all manliness, his heart all love;
'Tis the REFORMER—pure and great and holy,
Strong in the might descending from above.
Some noble deed wrought out with every hour,
Makes holy ground where'er his feet have trod;
Stronger than Time, or Hate, or banished Power,
He moves in majesty, a Sox or Gon!
O, Earth! thy Past is wretched and consorted
With old Reformers who have fought and bled;
They who to strife and toil and tears were fated—
They who to fiery martyrdom were led.
O, Earth! thy living years are crowned with splen-
dor,
By great Reformers battling in the strife—
Saints of Humanity, stern, strong, yet tender,
Making the Present hopeful with their life.
O, Earth! thy Future Ages shall be glorious,
With True Reformers, toiling in the van,
Till Truth and Love shall reign o'er all victorious,
And Earth be given to Freedom and to Man.

The following morsel, from the Boston Post, is
well done up. Where is the Whig rhymer who will
do as well for Cass?

A STREET CONFAB
Between a Federalist and a Democrat.—Reported by
Jeems.

Fed. Hurrah for Gen'l Taylor!
Dem. Well—what for?
Fed. 'Twas he who led—
Dem. —In 'that accursed war!
Fed. Our valiant troops against the Mexico foe,
Dem. And made himself a 'murderer'—you know—
Fed. To teach those yavering vagabonds and hire-
Dem. —They who were fighting for their fumes and fire!
Fed. —Not to forget in all succeeding time,
That Rough and Ready—
Dem. —In 'a committing crime!
Fed. Can flog the rascals till they cry—no more,
Dem. And be a 'butcher,' as he was before!
Fed. I go for Taylor with a willing mind,
And glory in the chance—
Dem. —To 'go it blind'!
Fed. Our candidate's a Whig, avow'd and hearty!
Dem. But not the candidate of any party!
Fed. Sir, he's a Whig, of any party may read,
Dem. But no exponent of any creed!
Fed. His principles are 'Whig in every fraction,'
Dem. But he won't take 'em for his rule of action!
Fed. That he is with us he himself alleges,
And gives assurance—
Dem. —That he'll give 'no pledges'!
Fed. If Whigs elect him, he is bound to do
As Whigs shall order—
Dem. —So was 'Tyler, too'!
Fed. Sir, you're impertinent—good day!
Dem. —Good day!
(Solus.)—The chap don't seem to like this kind of
play—
By Jove! this Whigg'ry is confounded
stuff!

There goes a cooney in a dreadful huff,
Because I read him just a word, or so,
From federal journals of a month ago—
That Southern thunder, it is very clear,
Spouts Boston scurrilous, it does seem clear,
But both are made as very light and cheap,
It's no great marvel that they shouldn't
'keep'!

REFORMATORY.

SUNDAY LAW WITHIN CHRISTIAN MORAL
AMERICAN.

BY JOHN W. BROWNE.

Read at the late Anti-Sabbath Convention in Boston.

Sunday first appears to take its place in municipal
law, as a day of commanded rest, in an edict of the
Emperor Constantine, A. D. 321. This, translated,
stands as follows:—

'Let all the judges, and the people of the towns,
and the business of all professions, rest on the ven-
erable day of the Sun; nevertheless, let those who
live in the country work in agriculture, at their
choice, and without restraint, as it may happen that
corn cannot be planted or vines set so well on another
day, lest in its time the bounty given by the provid-
ence of God may perish.'

This is the original of Sunday, in municipal
law.

The edict will be found in Justinian's Code, a
part of that Civil Law, whose fundamental maxim
and habit is this—the will of the prince has the force
of law; and which claims it to be 'the authority of
law to dispose of both divine and human matters.'
It will be found in that code, whose opening title is
this:—Concerning one Deity and Trinity, concerning
the nature of those who embrace the true faith,
and concerning the punishment of heretics.' Those
who know what power will do with conscience may
guess the details of the title.

The law of England ranks the doing of any secular
work or business, or engaging in any sport, on Sun-
day, as a 'profration of the Lord's day,' and an
'offence against God and religion.' The Statute of
Charles I. upon this matter opens thus:—Forasmuch
as there is nothing more acceptable to God than the
true and sincere service and worship of him, accord-
ing to his holy will, and that the keeping of the
Lord's day is a principal part of the true service of
God.—&c.

In the laws of every State in our Union, (Louis-
iana, and perhaps also Texas, excepted), there are
enactments for the observance of Sunday, as a special
reason of religious worship, and penalties annexed
to any manner of labor, business or travel on that
day, except from what is called necessity or charity.
The boundaries of the day, when defined in these
statutes, are various; some extending it from mid-
night of Saturday to midnight of Sunday; some from
midnight of Saturday to sunset of Sunday; and
some going back beyond the boundaries of Sunday,
and prohibiting attendance on dances, or plays, or
public diversions, except concerts of sacred music,
after sunset of Saturday evening; thus invading the
borders of the six secular days of the week to insure
a favorable introduction for Sunday, when its point
of time shall arrive.

These statutes of the several States call the day
variously—Sunday, the Christian Sabbath, the Lord's
day.

In some of the States, the law for the observance
of Sunday is contained in a distinct chapter, upon
that special subject alone. In most of them, how-
ever, the enactment concerning Sunday includes also
other subjects in it; and when this is the case, these
other subjects are invariably after the likeness of the
following, which are taken from the Revised Statutes
of the State of Maine, as a specimen of the rest.
The title of the chapter is as follows:—

'Of offences against chastity, morality, and de-
cency.'

It has thirty-nine sections, the subjects of which
are as follows:—

Sec. 1. Adultery. 2. Incest. 4. Crime against
nature. 5. Polygamy. 10. Fornication. 13. Procu-
ring abortion. 15. Keeping house of ill fame. 17.
Enticing females to houses of ill fame. 19. Ob-
scene books and pictures. 21. Blaspheming. 22.
Profanity. 26. Business, travelling, and recreation
on the Lord's day prohibited. 29. Public amusements
prohibited on the evenings of Saturday and Sunday.
36. Drunkenness. 38. Gaming, &c.

Into this category of crime, the laws of some of
these States put the non-observance of a Sunday
according to the State creed. So does a free gov-
ernment arrange non-conformity to the tenet of a
majority, written into the form of a law.

Our State statutes are thus a continuation of the
absolute governmental authority for Sunday observance.
They are the following out of an old history,
old and evil. They refer us back for origin, through
the oppressive legislation of England, and the edicts
and practice of the arbitrary governments of Chris-
tendom, in the matter of religion, to the original
dict of Constantine, establishing a legal Sunday, by
arbitrary power, over the heads of a people, not more
than one twentieth of whom were then believers in
Christianity.

Prior to that edict, whatever observance of Sunday
had existed was a voluntary religion. Prior to that
edict, it was a day observed in the private or associ-
ated habit of Christians—the history in the Church
being, that Christ rose from the tomb on the first
day of the Jewish week, and the observance being a
grateful commemoration of religious faith freely
given, as the faith was freely received.

The significance of Sunday comes from the Jewish
law, and the calendar of the Jewish nation. The
Jews divided the days of the year into periods of sev-
ens, and enjoined by their lawgiver, they observed
every seventh recurring day as holy. To a Jewish
convert to Christianity, then, the first day of his
week, as it returned, would be commemorative of
the resurrection of Jesus. Not so to the Greek and
Roman converts. When the apostles went out to
convert the Greek and the Roman, the Greek was
accustomed to divide his time into periods of ten
days, instead of the Jewish weeks, and the Roman
into periods of eight days, every ninth day being his
festal market day. These Gentiles, to whom Peter
and Paul preached a Christ crucified and risen, knew
nothing in the habit of their daily life of periods
of seven days, to make the recurrence of the first day
of the Jewish week significant to them as a com-
memoration. They did not reckon their time so.
They must learn that from Judaism. The division
of tenth (decades) and ninth days (Nundine) was
the established order of their respective calendars.
And in correspondence with this fact, when the syn-
od of the apostles was held at Jerusalem, as re-
ported in 15th chapter of the Acts of the Apostles,
and considered the points of conflict between the Jewish
and Gentile construction of Christianity, the apostles
resolved the matter in favor of the Gentiles, and sent
their decree by the hands of a commission, composed
of Paul and Barnabas, and their associates, not nam-
ing a seventh, or a first day of the week, in the de-
cree. 'The apostles, and elders, and brethren,
greeting unto the brethren which are of the Gen-
tiles, in Antioch, and Syria, and Cilicia:—Foras-
much as we have heard that certain which went out
from us have troubled you with words, subverting
your souls, saying, be circumcised, and keep the law;
to whom we gave no such commandment; it seemed
good unto us, being assembled with one accord, to
send chosen men unto you, with our beloved Barna-
bas and Paul, men who have labored for their lives for
the name of our Lord Jesus Christ. We have sent,
therefore, Judas and Silas, who shall tell the same
things by mouth. For it seemed good to the Holy
Ghost, and to us, to lay upon you no greater burden
than these necessary things; that ye abstain from
meats offered to idols, and from blood, and from things
strangled, and from fornication: from which, if ye
keep yourselves, ye shall do well. Fare ye well!
Where is Sabbath, or Sunday?

Hear the voice of the first authentic Council of the
Christian Church in history, the Council of councils,
speaking down to us from apostolic seats, promulga-
ting the organic law to all successors, in the hearing
of which Nice and Laodicea are to be silent, and hold
their hands upon their mouths! See here the edict

of edicts, the decretal of decretals, the statute of
statutes, in the eye of which, Constantine, and Leo,
and Gregory, and Parliaments, and Republican Leg-
islatures, have been building up the wood, hay,
stubble of willful enactments, on a foundation which
is not Christ, for fifteen hundred years of an era
which they have called by his name! This is the
apostolic canon, from which we are to learn the
Christian law to the Gentiles, concerning all Jewish
observances. The canon law of the apostles to the
Gentiles knows nothing of Sabbath, or Sunday. And
how could it?

Greek and Roman must first learn Judaism, and
his nation change its mode of computing time in its
calendar, before the first or the seventh day of the
Jewish week could be significant to him. This
change afterwards did take place; and the week of
seven days came into use; adopted, however, as the
historian Dion Cassius states, from the Egyptians.
But, from whomsoever adopted, the apostles had all
gone to their rest, several generations of their suc-
cessors had fallen asleep in Jesus, before the great
empire of the Cæsars knew the first day of the week
of seven days in public computation. What was
heard of it, came to individuals through the channels
of the Egyptians, or the Jews, and the Jewish Chris-
tians, and was not of common knowledge. The
first day was to them significant. Yet they propa-
gated it, if they propagated it at all, as a voluntary
observance, and not as a necessary and commanded
one. It was no part of the Christianity of the ap-
ostles.

It is a historical fact, that societies of early Chris-
tians were in the habit of assembling for worship on
that day. How near this came to a general custom,
it will not be easy, perhaps not possible, to deter-
mine. It seems, however, a necessary deduction
from the above facts, that if the evidence should be
impartially looked after, it must be found that the
custom was not general. And if at last it became
general, it was an interpolation of Judaism upon
Christianity, according to the Gentile fondness and
habit of festal days. When, at length, Christianity
left its author alone upon the exceeding high moun-
tain, and followed the Devil down to take his bribe
of the throne of the kingdoms of the world, in the
person of Constantine, then imperial power annulled
the canon of the apostles, and established the ob-
servance of the venerable day of the Sun into a part
of the religion of Jesus, for all these succeeding cen-
turies.

The conversion of Constantine is commonly called,
in the wisdom which writes for us the history of
government, the triumph of Christianity; but in
deed it was its fall. Christianity might have had
the throne of the world, three hundred years before,
in the person of its author, if his divine spirit could
have fulfilled the one condition—'All these will I
give thee, if thou wilt fall down and worship me.'
The answer saved the Savior of the world, and
brought kindred angels to minister to him—'Get thee
behind me, Satan! Christianity can always have
the aid of the power-demon in human government,
if it will fall down and ask his aid, worshipping; but
then the angels are gone; then love flies, and force
comes into its place; then Christianity loses its
Christ; and what is left of the word to us then,
sounds hollow and empty, like *insanity*. Such is
government Christianity; such is law Christianity.
Christianity is love, not power. Christianity works
by love, not by law. Christianity makes its call
upon the free will of the soul, and leaves that re-
sponding itself, like a child, at its Father's feet, never
again to doubt, never again to wander. Christianity
knows nothing of duty, nothing of forceful compul-
sions. When ceremonies come, when force comes,
Christ goes away. Where there is a government
religion, there is no Jesus.

Our legal Sunday, in its distinction from the other
days of the week, places it upon a religious founda-
tion, calling itself 'the Christian Sabbath,' 'the
Lord's day,' and claiming the dues of the law on the
ground of reverence. Its essence is in belief in
the mind of the peculiar holiness of that twenty-four
hours.

The Jew, in the scripture of Moses, was command-
ed to observe the seventh day by rest from labor;
and this was incorporated into both his religion and
his law. The law of God and the municipal law
were one with the Jew. His holy scripture and his
secular statute book were one.

The Christian Commonwealth, in assuming to
appoint the first day of the week to be observed as a
holy day, held to the sanction of the seventh day by
a command from God in the scripture of the Jew,
and then transfer that sanction to the first, on the
basis of the recognized public belief that, on that day,
Jesus rose from the dead.

The Sunday laws take for granted the divine legation
of Moses, and the belief of that.

They take for granted the rising of Jesus from the
dead on the first day of the week, and the belief of
that.

And they take for granted, moreover, in addition
to the above, the fact and belief, that the law of
Moses, in which God appointed rest on the seventh
day, because on that day he rested from the work of
the creation, is abrogated, as to the observance of
the seventh day, but is still in force as to the ob-
servance of one day in seven; and that God has elected
the observance of the first day of the week, instead of
the seventh, now, because on that day he raised Jesus
from the dead.

Either of these beliefs failing in the mind of any
person, the legal Sunday is without foundation in
the reverence or religion of that person. Either of
these beliefs failing in the mind of any citizen, if the
State enforce its law of Sunday upon that citizen, it
forces an act of outward religious observance upon
him, against belief in the conscience; it establishes
and enforces, by temporal penalties, a system of re-
ligion; and so far as outward penalties can do that, a
cease.

Here it is obvious, how contradictory are the first
principles of the foundation of the Sunday law with
themselves. Here, also, it is obvious, that it takes
for granted, what no two Christians are agreed about,
and things which the best, and wisest, and most
famous Christians have denied. It is obvious that
this creed of Sunday is like the other State creeds,
in all ages; the hollow nonsense of government re-
ligion, enforced by the tyranny of government power,
nonsense and tyranny, which fire has not been able
to burn into men and women, though it has burned
the bodies of the elect of the race down to ashes,
and left their souls naked in eternity, God's element
of freedom, to overshadow all time to come with holy
wings. But more is obvious, namely, this: that you
may dispute this principle of the distinction of the
day, in the law, at every step. You may not agree
that the law of Moses is divine in its origin, in any
sense different from the institutes of any other primi-
tive lawgiver; you may believe that Jesus abrogated,
or denied, or superseded Moses, by fulfilling the in-
finite spirit's behests, which Moses only began to
shadow forth to a hard-hearted people, by giving
their statutes which were not good; you may be-
lieve that Jesus repudiated the Jewish Sabbath, as
an enforced religious rest, and you must and will
know, that he and his disciples never directed any
to take its place, as a part of Christianity; you may
believe that the Lord would now reject the legal
Sunday, baptised his day, and would denounce the
law of the same if he were now on earth, as intro-
ducing force into his kingdom of free will; you may
believe that, if he were now on earth, he would cast
out of these State Houses which enact Sunday
laws, and these Courts which enforce them, and the
Churches which uphold them with logic theological,
and walking about, a homeless stranger among those
who proudly call themselves in his name, would

seek and find his home and rest under the roof of a
holy and simple man, who breaks the law every Sun-
day by working in his field, and is called, by the
presumptions Christians about him, infidel. You
may believe all this, in the freedom and bold faith-
fulness of the religious nature, into which your soul
has come by education in this day, on this continent,
you may believe all time holy, and Sunday holy as
another day, but no more so; you may believe that
there is no true work which is not worship, and no
true worship which is not work; you may believe
all this, but you are to act upon it under the
pressure of penalty. The State has a creed about
the matter of Sunday. The State believes that
Sunday is holier than its brother days of the week,—
(the radiant brotherhood born out of the womb of
God's eternity into time, and baptised in light),—
and will have you signify as much. The State be-
lieves that we stand fast no longer in the liberty
wherewith Christ hath made us free, but are en-
tangled again in the yoke of bondage, for the Lord
hath selected a celebration day. Beware, therefore!
The State you were born into holds to the freedom of
conscience, as a theory, and has educated your soul
to enlargement in the rudiments of that expanding
theory. Nevertheless, beware! In one thing it
will visit your conscience, and be its keeper. In the
name of the religion, whose chief apostle to the na-
tions said to the Colossians, 'Let no man therefore
judge you in meat, or in drink, or in respect of a
holy day, or of the new moon, or of the Sabbath days,'
in that name, the State will judge you in respect of
a holy day, and of the Sabbath days; and if, on the
day which the State calls the Christian Sabbath, against
all evidence of the Christian scriptures, your con-
science leaves you free to work, and you do work,
then the State has a yoke of conformity for your
conscience, in the penalty of a shameful statute.

Thus loose, thus contradictory are the logical
principles of the Sunday law; thus contrary to the
nature of the religion of Jesus, and the written au-
thority of his apostles; thus oppressive upon the
right of private judgment, in the matter of an out-
ward act, which has its sole significance in belief.
If you believe according to the law, you will observe
what the law requires without the law; and if you do
not believe according to the law, the very existence
of the law may be a call upon you to testify against
its falsehood and usurpation, by denouncing and
transgressing it. The English nature we inherit al-
ways had something of defiance in it, at its best.
The denial of the right of the Quaker to testify in
New England made the duty, that brought the Quak-
ers in flocks to New England to testify. The Pur-
itans thought they were infected by the willfulness
of Quakerism, but they were infected with the will-
fulness of Puritanism, and Quakerism came as a cure
for that. Bigotry makes martyrs, because it makes
a necessity for them. The force which error resorts
to, wherewith to stay itself, is the illustration of the
truth.

But if the Sunday observance demanded by the
law were the plainest part of Christian ceremonial
ordinance, beyond a doubt or dispute, American
governments have no right to enforce its observance
by law. They may as rightly exact the provisions
of the Sunday law, and stop work, and trade, and
diversion for Christmas, or the evening of the Passover,
when the last supper was taken, every recurring
Friday, in memory of the crucifixion. The founda-
tion of the law, the election of the day, the express
declarations of the laws in their historical series, all
show them to be a ceremonial religion. The thought
of a public morality, or convenience, is secondary,
incidental, accidental. The moving cause is a cere-
monial religion of worship, a holy day creed; and
there is no recognized right in an American govern-
ment of the people to enforce it. The American
idea of political liberty is this—man is governed
too much. The American idea of spiritual lib-
erty—man is not to be governed at all.

The old world would not leave man free in either;
had never left him free. The old institutions there
oppressed man in the Church, in the State, in the
social condition. The old constitutions left neither
body, nor mind, nor life, nor conscience free.
The informing mind of the movement, which re-
sulted in the birth of our American organizations of
government, after itself this—oppression shall be
no longer in fact for man under government, as it is
not in the truth of the theory of the rights of his be-
ing. He shall be his own man, under the God of
his own belief, the state of his own election, the so-
cial condition of his free endeavors. Especially
shall man here not wilfully constrain man in the
matter of religion, under these governments made
for freedom, made for all, made for man. The people
shall not be Pope, nor Church, nor King, over the
conscience; but herein man shall be free as the great
God his father made and leaves him, under the ad-
monitions of his providence. The power of the ma-
jority shall be just, shall be generous. Matter of
religion, shall not be matter of majority law. This
bloody theme of legislation, making martyrs always
of the best natures in the State, this whole province
of religion, shall be stricken out of the legislative
sphere. Religion shall not be in the list of subjects
for the ordinations of government. Government
shall forever abdicate the power to make a law about
it, and declare itself fundamentally incapacitated to
deal with what concerns conscience. This voluntary
abdication and renunciation shall be embodied in the
organic constitutions of government here, shall be
written on the abiding tablet of the social compact,
for perpetual observance. The State here shall never
constrain the liberty of the sons of God, touching
their relation to their Father. The State is not holy
enough to touch religion. 'Hands off,' unholy
hands. The State is a body politic, not a body re-
ligious. Its titles are titles of honor, not of rever-
ence. It exists to enforce the outward duties of
morality among men, and the necessary support and
defence of its own organization. That is its sphere.
Let the past and the old world suffer for bigotry
and ecclesiastical tyranny. They shall have no time,
no ground, here. Religion shall not be a thing of
the enigma of political society. There shall no
longer exist in law such an offence as non-confor-
mity. The inward liberty of a man is above the State,
more reverent than the State. Government is a
nuisance if it intermeddles with that. Government
here shall take it for granted, as beyond its sphere,
before it shall begin to be.

This is the spirit of our governments; the elemental
force by which they rose out of chaos into organic
forms. What the old governments did to man was
not right; what they did shall not be repeated here.
This was the American purpose. Why? Why?
Because a religion of conscience must, necessarily,
in its nature, be indifferent to power, and supreme,
as the life of the spirit, to every individual person.
Because power in the State will enforce its own
thought upon the subject for God's truth, demand
not religion, but conformity; for the State has no
individual human soul, religious, worshipful, strug-
gling up to God, through doubts, by prayer, in peril
for personal salvation. Because an establishment
of a spiritual religion of love is impossible by a gov-
ernment of force, and must be the voluntary dedica-
tion of private hearts. Government is not anointed
to that end. It is not installed in that sphere of
love and light. It has no prophet's mantle. The
prophets come to rebuke the State, and the State
kills them. The State is power, protecting the out-
ward life, and liberty, and interests of the citizen,
by the emblematic sword. *Esse petit placidam sub
libertate quietem*—'By the sword, under liberty, the
State secures placid quiet; and this is the placid
quiet of the outward, and never of the inward life.
Let the State stand by its office here. Let the State
fight battles, and punish crimes. The State is the

man of blood. But the man of blood is not to build
the Christian temple here, and prescribe its wor-
ship. The iron of the State shall not enter the soul.
Is this great truth attained in our organizations of
government, as it was present in the idea? Nay.
Yet nevertheless it stands in idea; it has educated
our souls into religious liberty; and we are not to
have our rest until it stands completed in all the
laws of our organized societies.

What then mean these Sunday laws, establishing
the religion of a holy day, and punishing those who
have no faith to regard it? What mean they on this
soil, in this climate of ideas? How shall they main-
tain themselves in existence upon the Statute book,
when they have no true foundation in the ac-
knowledge principles of American legislation? What
mean the disciples of these principles be met to
obey these laws?

Some of the States, with striking grace, make ex-
ception from the penalty of their Sunday statutes, in
favor of those who conscientiously believe and keep
the seventh day of the week as a Sabbath, and re-
frain from labor on that day. Which is to say, that
the noble estate of a Republican government is
divided and dwarfed down to the meanness of con-
ceding to conscience, the liberty of believing in one
of two scriptures, namely, the scriptures of Moses,
or the scriptures written in a majority's statute book.
But this concession is not a common grace. In many
of the States, you have no election; you are to con-
form to the scripture of a Republican legislature, or
take the penalty. But where, under any of these
laws, is the liberty of conscience of a man who re-
fuses not one day above another, but esteems every
day alike; and is fully persuaded in his own mind,
that all days are holy, that all days are the Lord's
days, sacred to the freedom of work, or rest, or
worship; and who is persuaded, moreover, that a
government religion of one sacred day in seven is
both a folly and a tyranny? Where, under these
laws, is the inalienable liberty of a man, who believes
neither in the first day of the week, nor in the sev-
enth day, neither in the Christian scriptures, nor in
the Jewish scriptures; and yet herein is a man sac-
rificed from the touch of the law-making majority,
who outnumber the minority, by counting persons
just as unbelievers as he, and more unscrupulous,
and tyrannical, and hypocritical.

There is not a soul of man or woman, of all those
who are deeply or conscientiously opposed to the
fully or tyrannical of this majority religion of Sunday
observance, that does not inwardly know, that the
light and work of every day, and the darkness and
rest of every night, are more commemorative to it
of the being of Jesus, than the government Sunday
is to the majority which enact that ceremonial into
a state of religion, and set down its non-observance
in the same category with adultery and incest. They
who know Jesus truly, recognize his existence con-
stantly, in their own being, without account of
weeks, or histories doubtful and disputed. They who
reverence Jesus truly, reverence the sacred freedom
of all acts of worship. Worship cannot be com-
manded. They who have known, in experience,
what worship is, know that government is incapable
of desiring genuine worship. A government religion
has always persecuted the high religious soul. That
is the history of all martyrs. In every enforcement
of religious observance, by penalties, government
has been wrong. The future always pronounces
that sentence against it. It always was wrong, in
its contests with the citizen about religion, and al-
ways will be. It does not desire religion, but con-
formity. Of matter of religion, the private conscience
is more concerned to judge than the law, is a better
judge than the law, is the only right judge. Let the
power of direction be where alone the responsibility
must be, with the private conscience. Let the law
learn its place, and having learned it, keep it. No
human government has yet been bold enough to dare
to help religion.

The observance of Sunday, in the apostolic ages,
and while Christianity was converting the world,
was voluntary. Christendom established, may now
surely trust the same voluntary system. Our Amer-
ican government may, ought, must do this. The
genesis of our church system is voluntary, and yet
there is no lack of meeting-houses and ministers.
Our country is more amply supplied in this than is
the city of London, under the eye of the Parliament
of England, with its bench of bishops, representing
the established church as one of the estates of the
kingdom. We are probably the greatest minister
and meeting house people in the world. Let Sunday
stand on the same voluntary ground with our church
system. It would not be the less observed. If we
believe in Sunday, we shall conform to it, without
law, and support it voluntarily, as we support a
church, or its ordinances. If we believe not, there
is no rightful power to enforce obedience, without
law, and support it voluntarily, as we support a
church and its ordinances. If we believe not, there
is no rightful power to enforce obedience, without
belief. At the utmost, Sunday should be no more
than recommendatory in government, as are thank-
sgiving and fast; and these are well observed, and
quiet enough for any who assemble for a public
worship. They are in the habit of the people. So
is Sunday the habit of the people. Let Sunday re-
main the habit of the people, and not an institution
of government. Then it stands upon its true founda-
tion, of belief, free will.

The abiding majority of the law lies in the recog-
nition, on the part of the offender, of its justice.
The basis of true human legislation must be the
eternal laws of morality, not tenets, not dogmas, not
the drift-sand of a theological dispute. What law
says so, must be so. The law calls Sunday 'the
Lord's day.' Is it the Lord's day? If conscience
admit not the basis of the legal tenet, what the law
punishes as a crime on that day is martyrdom. The
law which forbids the act of work, or travel, or di-
version, on a Sunday, and affixes the penalty, makes
the crime. It is no crime, unless it be so in the fu-
ture of the individual conscience. Disbelief in a
creed is no crime, and may be a virtue.

The State, by the penalty of its Sunday law, chal-
lenges a firm man, who believes the law would en-
force an error, to disobey it, that so he may vindicate
the abused truth. If there were no law on the
subject, he would respect his neighbor's opinion,
and reverence the fact of his worship, though he be-
lieved not in its mode. But compelled, by law, to
endorse his neighbor's mode of religious observance,
for an absolute truth of religion, by an exemplary
act of his own, he must be more saint-like in his na-
ture than most protesting human beings are found to
be, if he find it not his duty to give a testimonial ob-
servance of what he thinks right, by doing what the
law calls wrong to his face. Transgression of a
religious authority is the most natural form of pre-
sented demonstration. Hear great Luther to this point:
—Keep it holy, for its use sake, both to body
and soul. But if any where the day is made holy by
the mere day's sake—if any where any one sets up
its observance on a Jewish foundation, then I order
you to work on it, to ride on it, to do any thing that
shall remove its encroachment on the Christian
spirit and liberty.

The right of our governments of the majority to
pass laws, making Sunday a day sacred from all se-
cular occupation, and punishing its non-observance
in that mode as a crime, may be tested by possible
practical examples.

Those who profess to believe in Sunday, as a holy
day, in distinction from other days of the week, and
think it worthy to be accounted crime to follow any
inclination for what is named secular work or pleasure
on that day, are now in a majority. Now they
make laws to punish an act, not according to their
creed, as criminal. They may not always be the

majority. It will enlighten us to see the right, if we
suppose the case reversed.